

SENATOR LAMB: Mr. President and members, much as I hate to agree with my friend Senator Wesely and oppose the Speaker, I have to say that the Speaker is wrong on this issue because it's very plain on page 27, Section 2, "resolutions which propose amendments to the State Constitution..." and then blah, blah, blah, "shall be considered and adopted in the same manner as bills. Very plain, very distinct and it's absolutely...it's the one that applies, the other one. This is a specific one in my opinion that applies. I defer to Senator Beutler.

SPEAKER NICHOL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I would like to also encourage you to overrule the Speaker and I think that one point that has not been made that perhaps clarifies what has happened historically with these rules and may be of some interest to you, the rule that Senator DeCamp is pointing to and holding and making a case under is Section 9 of Rule 4 which was enacted apparently in 1961. Okay, what you have to remember is that that talks about resolutions. In 1961 in this Legislature resolutions that referred to changes in constitutional amendments were referred to as bills. Okay? So that when that particular provision was passed it would be my opinion that probably nobody in this Legislature thought they were talking about those particular kinds of resolutions that dealt with constitutional amendments because they were in fact called bills here at that particular point in time. So I think that what happened was that in the minds of everybody in the Legislature they thought this was quite clear and that it referred only to resolutions other than constitutional amendments which were already referred to in a 1937 provision that has been quoted to you by Senator Lamb, Section 2 of Rule 4, which says that all resolutions dealing with constitutional amendments shall be considered as bills. So I think it's just an area where the Legislature was not quite careful enough when a couple of years ago it started calling resolutions dealing with constitutional amendments resolutions instead of bills. We switched over and started called them resolutions, but we didn't go back through our rules and reread all these rules, particularly Section 9 of Rule 4 and change that language or clarify that language so that it distinguished constitutional amendments that were in fact resolutions. So it would be my opinion that Senator